

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 96-144-W/S - ORDER NO. 96-661
SEPTEMBER 20, 1996

IN RE: Application of Avondale Mills, Inc.)	ORDER
for Approval of an Acquisition of)	GRANTING
Assets of Graniteville Company's Water)	WAIVER,
and Wastewater Systems and Establishment)	APPROVING
of Certificate of Public Convenience and)	SALE, AND
Necessity for Avondale Mills, Inc.)	GRANTING
)	CERTIFICATE

This matter comes before the Public Service Commission of South Carolina (the Commission) on the April 18, 1996 Application of Avondale Mills, Inc. (Avondale or the Company) which seeks approval to acquire the water and sewer utility systems presently owned by the Graniteville Company which serves its water and sewer customers in Aiken County, South Carolina. The Application was filed pursuant to S.C. Code Ann. §58-5-240 (1995), and the Rules and Regulations of the Commission.

Subsequent to the initiation of this proceeding, the Executive Director of the Commission instructed the Company to cause to be published a prepared Notice of Filing in certain newspapers of general circulation in the area affected by the Application and to furnish the same information to each customer. The Notice of Filing indicated the nature of the Application and advised all interested parties desiring to participate in the proceeding of the manner and time in which to file the appropriate

pleadings. No Petitions to Intervene or Protests were received.

Avondale Mills has agreed, subject to certain conditions, to acquire substantially all the textile assets of Graniteville Company. Among these assets are the water and sewer utility systems, subject to regulation by this Commission. These systems serve approximately 500 customers in Aiken County, South Carolina. Regulations 103-504 and 103-704 require that this Commission examine acquisitions of water and sewer utilities, and that the Commission make a finding that the sale or acquisition is in the public interest, or that the public convenience and necessity require or will require operation of any utility system. The Regulation also requires a due hearing in the matter.

We also note that Regulations 103-512.4(B) and 103-712.4(B) require the filing of certain information for establishment of territory and rates for any water and/or sewer system. In this particular case, the Company asks that we waive the filing of engineering plans, a construction permit from the Department of Health and Environmental Control, a statement showing Plant Investment, and the statement of a professional engineer concerning the system. The grounds for the requests are that the system itself was built in the early 1930's, and these particular documents are not presently available for submission to the Commission. Further, the Company notes that rates were approved for this Company in Docket No. 79-473-W/S in Order No. 80-52, dated January 29, 1980. The Company requests that the same rates be approved for Avondale.

We have examined this matter, and we believe that the due hearing required by Regulations 103-504 and 103-704 may be satisfied by considering the matter in the Commission's weekly agenda session. In this case, the appropriate hearing was held on September 17, 1996.

We have examined the matter and find that the requested waiver of certain documents to be filed with the Commission should be granted, due to the fact that the plant itself was built in the 1930's. Regulations 103-501.3 and 103-701.3 allow the Commission to waive certain regulations upon a showing of unusual difficulty in complying with those regulations, and that it would be in the public interest to waive them. We think this request for waiver meets those standards. We have also examined the general request of Avondale for approval of the sale, and find that the sale is in the public interest and, that further, after review of the whole record in the matter, including all submissions by Avondale, we find that Avondale is entitled to a Certificate of Public Convenience and Necessity, and that its territory shall be the territory formerly served by the water and sewer system belonging to the Graniteville Company. We also believe that the Company should be allowed to utilize the same rate structure as the Graniteville Company did, and we hereby adopt these rates and charges for Avondale, which are shown as Appendix A to this Order.

IT IS THEREFORE ORDERED THAT:

1. Avondale Mills, Inc. is granted a Certificate of Public Convenience and Necessity to operate a water and sewer utility in

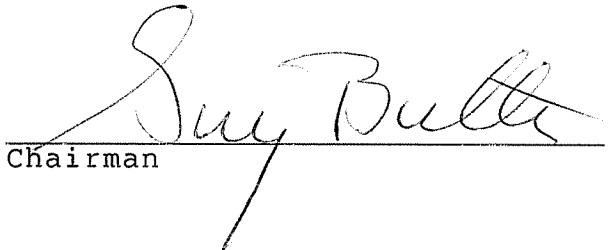
Aiken County, South Carolina in the territory formerly served by the Graniteville Company.

2. The schedule of rates and charges for Avondale Mills, Inc., as set forth in Appendix A, is approved and may be charged for service rendered on or after the date of this Order.

3. Avondale Mills, Inc. shall maintain its books and records for its water and sewer operations in accordance with the NARUC System of Accounts.

4. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director

(SEAL)

APPENDIX A

AVONDALE MILLS, INC.
GRANITEVILLE, SC

FILED PURSUANT TO DOCKET NO. 96-144-W/S ORDER NO. 96-661*

EFFECTIVE DATE: SEPTEMBER 20, 1996

SCHEDULE OF RATES AND CHARGES

Rate Schedule No. 1

Type of Service: Water
Application: Residential, Commercial and School Customers

Minimum Monthly Charge	-	\$ 3.00
plus each 1,000 gallons	-	.51

Rate Schedule No. 2

Type of Service: Water
Application: Wholesale customers

per 1,000 gallons	-	.355
-------------------	---	------

Rate Schedule No. 3

Type of Service: Sewerage
Application: Residential, Commercial and School Customers

Minimum Monthly Charge	-	\$ 2.05
plus each 1,000 gallons	-	.869

* These rates were originally approved for the Graniteville Company By Order No. 80-52 in Docket No. 79-423-W/S Dated 1-29-80.